

REMARKS

This Amendment is being filed in response to the Office Action mailed on May 29, 2009. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-3, 4-15 and 33 are pending in this application, where claims 4 and 19 had been previously canceled without prejudice, claims 16-18 and 20-32 have been currently canceled without prejudice, and claim 33 has been currently added. Claim 1 is independent.

In the Office Action, claims 1-3 and 4-15 are rejected under 35 U.S.C. §103(a) over WO 01/37309 (Partlo) in view of U.S. Patent No. 4,597,665 (Galbraith). It is respectfully submitted that claims 1-3, 4-15 and 33 are patentable over Partlo and Galbraith for at least the following reasons.

Partlo is directed to a plasma focus light source that includes a conical nested debris collector 5. The debris collector 5 collects debris resulting from a plasma pinch, as recited on page 11, line 10. As clearly shown in FIG 9, the conical nested debris

collector 5 is located between a dense plasma focus (DPF) radiation source and a collector director 4 that receives the radiation from the DPF. The debris collector 5 prevents debris from reaching the collector director 4. As correctly noted on page 3, last paragraph of the Office Action, Partlo does not disclose or suggest collecting the contaminants at an obstacle located at a second portion of the surface, where the obstacle includes a recess formed in the surface. Galbraith is cited in an attempt to remedy the deficiencies in Partlo.

Galbraith is directed to a dual collector optical flaw detector for detecting defects at a surface 25 such as pin holes and cracks, as recited on column 2, lines 64-65, and column 3, lines 12-14. As recited on column 4, lines 23-24 the Galbraith detector "detects very small holes, compared to the beam diameter."

It is respectfully submitted that Partlo, Galbraith, and combination thereof, do not teach or suggest the present invention as recited in independent claim 1 which, amongst other patentable elements, recites (illustrative emphasis provided):

collecting the contaminants at at least one obstacle located at a second portion of said at least one surface, wherein said at least one obstacle

includes at least one recess formed in said at least one surface.

There is simply no teaching or suggestion in Partlo and Galbraith, alone or in combination, of collecting contaminants at an obstacle that includes a recess. Rather, at best, the combination of Partlo and Galbraith disclose a detector that detects very small holes or cracks in a surface and includes a conical nested debris collector 5.

Without using the present application as a road map to reconstruct the present invention, and without the benefit of impermissible hindsight, one skilled in the art would not arrive in an obvious manner to collecting contaminants at an obstacle that includes recess, particularly when Partlo already has debris collector 5, and where Galbraith merely discloses to detect small holes or cracks in a surface. Since Galbraith already has debris collector 5, why would one skilled in the art be motivated to include a recess to collect debris? Besides, the disclosure of Galbraith to detect small holes or cracks in a surface has nothing to do with using a recess to collect contaminants.


Accordingly, it is respectfully submitted that independent

claim 1 is allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-3, 4-15 and 33 should also be allowed at least based on their dependence from independent claim 1, as well as their individually patentable elements. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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